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REMARKS/ARGUMENTS

In an Office Action mailed April 5, 2004, the Examiner rejected Claims 1-3 and 5-38. The action was made final. For the following reasons, reconsideration of the application is respectfully requested.

Claims Rejections - 35 USC § 112

The Examiner rejected Claims 14-20 as allegedly being indefinite for failing to particular point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully submit that amended Claim 14, which recites "wherein the fluid interconnect opening and the screen [is] are brought into contact with the fluid interconnect inlet port. . .," is not indefinite. Applicants respectfully request that the Examiner enter this amendment under 37 CFR 1.116 and withdraw the § 112 rejection of Claims 14-20.

Claims Rejections - 35 USC § 103

Claims 1-3, 5, 7-18, 20-36 and 38 stand rejected as being unpatentable over Soga et al. ("Soga") in view of Ma et al. ("Ma"). This ground of rejection is respectfully traversed on the grounds that a prima facie case of obviousness has not been established, and the applied references do not teach or suggest the claimed subject matter.

Claims 1-3, 5-7:

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to Claims 1-3 and 5-7. Neither Soga nor Ma, alone or in combination, disclose, teach or suggest each and every limitation of any of Claims 1-3 or 5-7, including at least:

" . . . the screen having a pore size small enough to prevent air passage at operational pressures and large enough to allow said dispersed colorant particles to pass therethrough."

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as recited in Claim 1, from which Claims 2, 3 and 5-7 depend. Moreover, the Examiner made no express finding that either Soga or Ma disclose, teach or suggest the quoted limitations. In Section 5 of the Office Action, at pages 3-4, the Examiner lists a number of "claimed features" that the Examiner states are allegedly disclose, taught or suggested by Soga - the list does not include the limitation of Claim 1 quoted above. Nor does the Examiner cite or refer to any other reference as allegedly showing the limitation quoted above. Accordingly, Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to Claims 1-3 or 5-7. Applicant respectfully requests that the Examiner withdraw the rejections and place the claims in condition for allowance.

Claims 8-14 and 27-31:

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to Claims 8-13. Neither Soga nor Ma, alone or in combination, disclose, teach or suggest at least the following limitations of Claims 8-14:

" . . . providing the ink container with an interconnect outlet port, and with a body of reservoir material disposed in the container, the ink container further including a screen disposed across the interconnect outlet port and in contact with the reservoir material, the screen having a pore size small enough to prevent air passage at operational pressures and large enough to allow said dispersed colorant particles to pass therethrough;

bringing the interconnect outlet port and the screen into contact with the fluid interconnect inlet port"

as recited in Claim 8.

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to Claims 27-31. Neither Soga nor Ma, alone or in combination, disclose, teach or suggest each and every limitation

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of any of Claims 27-31. For example, neither Soga nor Ma disclose, teach or suggest at least the following limitations of Claims 27-31:

" . . . an outlet screen disposed across the interconnect outlet port and in contact with the reservoir material . . ."

and

" . . . bringing the outlet screen into contact with the fluid interconnect inlet port . . ."

as recited in Claim 27.

Moreover, the Examiner made no express finding that either Soga or Ma disclose, teach or suggest the above-quoted limitations. The Examiner merely stated that, "the steps recited in the method claims are considered inherent functions associated with the aforementioned structure." Applicants respectfully disagree.

"[B]ringing the interconnect outlet port and the screen into contact with the fluid interconnect inlet port" is not an inherent function associated with any of those features and it is not obvious to combine the quoted limitations with the other limitations of Claim 8. Soga, for example, shows several embodiments in FIGS. 3 through 5, which have ink holding members 3a, a meniscus member 5a, an ink passing member 7a and a joint pipe 12a. 9:49-10:33. In each of those embodiments, the joint pipe 12a is separated from the meniscus member 5a by an ink passing member 7a. Accordingly, the Examiner's statement that the steps recited in the method claims are inherent functions associated with the aforementioned structures is incorrect. For example, the limitation of "bringing the interconnect outlet port and the screen into contact with the fluid interconnect inlet port" is not an inherent function associated with the aforementioned structure.

Moreover, Soga does not disclose the limitations of "providing the ink container with an interconnect outlet port, and with a body of reservoir material disposed in the container, the ink container further including a screen disposed across the interconnect outlet port and in contact with the reservoir material, the screen having a pore size small enough to prevent air passage at

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operational pressures and large enough to allow said dispersed colorant particles to pass therethrough" and the limitation "bringing the interconnect outlet port and the screen into contact with the fluid interconnect inlet port" in the claimed combination.

As discussed above, Soga discloses several embodiments with ink holding members 3a, a meniscus member 5a, an ink passing member 7a and a joint pipe 12a (9:49-10:33), but which have a joint pipe 12a is separated from the meniscus member 5a by an ink passing member 7a. Other embodiments, however, have an intermediate chamber 16b (which does not include an ink holding member 3a) and a "second meniscus forming member 17b" below the intermediate chamber 16b. FIG. 14, for example, shows a "second meniscus forming member 17b" below an intermediate chamber 16b (which does not include an ink holding member 3a). The accompanying text states that the "second meniscus forming member 17b is made to contact with the filter 22b."

Applicant therefore respectfully submits that Soga does not disclose, teach or suggest each and every one of the claimed limitations in the claimed combinations. In addition, the Applicant respectfully submits that the Examiner failed to make any express finding with respect to which reference and where in those references, the claimed limitations are disclosed, taught or suggested and did not establish a prima facie case of obviousness and did not establish a prima facie case of obviousness. Applicant therefore respectfully requests that the Examiner withdraw the rejections of Claims 8-13 and 27-31.

Claims 14-20:

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to any of Claims 14-20. Neither Soga nor Ma, alone or in combination, disclose, teach or suggest each and every limitation of any one of Claims 14-20. For example, neither Soga nor Ma disclose at least the following limitations of Claims 14-20:

" . . . a screen disposed in the containment vessel and across the interconnect opening"

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and

"... the fluid interconnect opening and the screen is brought into contact with the fluid interconnect inlet port when the ink container is installed in the receiving station."

as recited in Claim 14. Neither Soga nor Ma disclose, teach or suggest the quoted limitations in the claimed combination, for reasons given above with respect to Claims 8-14. Moreover, Applicant respectfully submits that the Examiner made no express findings with respect to either one of the quoted limitations. Applicant respectfully requests that the Examiner withdraw the rejections.

Claims 21-26 and 32-38:

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to Claims 21-26. Neither Soga nor Ma, alone or in combination, disclose each and every limitation of any one of Claims 21-26. For example, neither Soga nor Ma disclose, teach or suggest at least the following limitations of Claims 21-26:

"... the body of reservoir material having a region adjacent to and in contact with a screen disposed within the container and across the interconnect outlet port ..."

and

"... bringing the screen into contact with the fluid interconnect inlet port, thereby compressing the region of the body of reservoir material adjacent to the screen and forming a region of increased capillarity adjacent the fluid interconnect outlet port ..."

as recited in Claim 21. Neither Soga nor Ma disclose, teach or suggest at least the following limitations of Claims 32-38:

"... the body of reservoir material disposed in the containment vessel, the body of reservoir material having a region adjacent to and in contact with the screen ..."

and

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" . . . the fluid interconnect inlet port contacts the screen thereby compressing the region of the body of reservoir material adjacent to the screen and forming a region of increased capillarity adjacent the screen."

as recited in Claim 32.

Applicant respectfully submit that the Examiner has not established a prima facie case of obviousness with respect to Claims 21-26 and 32-38 at least for reasons similar to those given above with respect to Claims 8-13 and 27-31. In addition, the Examiner has also failed to make express findings with respect to the limitation of "compressing the region of the body of reservoir material adjacent to the screen and forming a region of increased capillarity adjacent the fluid interconnect outlet port." Moreover, neither one of Soga and Ma, alone or in combination, disclose, teach or suggest this limitation. Nor has the Examiner made an express finding with respect to this limitation. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 21-26 and 32-38.

Claims 6, 19 and 37:

The Examiner rejected Claims 6, 19 and 37 as allegedly obvious over Soga in view of Ma and further "in view of Dietl et al (US 5,085,698)." Applicants respectfully note that this citation is apparently incorrect. Dietl is not US 5,085,698. Examiner has therefore failed to establish a prima facie case of obviousness with respect to Claims 6, 19 and 37. In addition, Claims 6, 19 and 37 are also allowable because they depend from claims which are not obvious, as discussed above.

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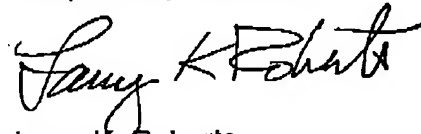
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CONCLUSION

The outstanding rejections have been addressed, and the application is in condition for allowance. Such favorable reconsideration is solicited.

Respectfully submitted,



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Dated: 6/7/2004

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